

NINETEENTH DAY.

Senate Chamber,
Austin, Texas,
Thursday, Feb. 9, 1911.

The Senate met pursuant to adjournment, and was called to order by President Pro Tem. Hudspeth.

Roll called, quorum being present, the following Senators answering to their names:

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins, the same was dispensed with.

REGULAR ORDER.

The Chair called the regular order of business. (See appendix for committee reports and petitions and memorials.)

SIMPLE RESOLUTION.

By Senator Meachum:

Whereas, Our able and esteemed presiding officer, Lieutenant Governor A. B. Davidson, has been detained from attendance upon the Senate for the last few days on account of illness, and is still confined to his bed and unable to be with the Senate; therefore, be it

Resolved, by the Senate, That we deeply sympathize with him in his illness, and wish him a speedy recovery to health;

Resolved, further, That the Senate, by this resolution, individually and collectively, tenders to Governor Davidson any assistance which may be in our power, and request that he call upon each and all of us unhesitatingly for any service we may render him in his illness.

Weinert, Hume, Meachum, Watson, McNealus, Hudspeth, Peeler, Greer, Johnson, Lattimore, Astin, Adams, Willacy, Perkins, Warren, Terrell of Wise, Bryan, Collins, Cofer, Ward, Carter, Paulus, Terrell of McLennan, Real and Mayfield.

The resolution was read and adopted.

SIMPLE RESOLUTION.

By Senator Ward:

Whereas, Hon. Sebe Newman of Ellis county, Texas, Sergeant-at-Arms of the House of Representatives of Texas Legislature, will be an applicant for a position in the House of Representatives of the Congress of the United States for the Sixty-second Congress; and

Whereas, Through his long and faithful service extending over the period of six years as Sergeant-at-Arms in this body he has proved himself efficient and qualified himself for the position sought by him; therefore, be it

Resolved, That the Senate of the Thirty-second Texas Legislature hereby endorse him for such position and request the members of the Texas delegation in the National Congress to use their best efforts to secure the same for him, and that an engrossed copy of this resolution be furnished to each member of the Texas delegation by the Secretary of the Senate.

Senator Meachum offered the following amendment, which was read and adopted:

Amend the resolution by adding the name of Hon. Charles J. Kirk of Navasota, Grimes county, for Assistant Sergeant-at-Arms.

The resolution, as amended, was then adopted.

BILLS AND RESOLUTIONS.

By Senator Greer:

Senate bill No. 208, A bill to be entitled "An Act to amend Section 36 of Chapter 111, Acts of the Thirtieth Legislature, being 'An Act to amend Sections 36, 37 and 40 of Chapter 124 of the Acts of the Regular Session of the Twenty-ninth Legislature, relating to county supervision of public schools,' providing that an election may be held upon the petition of 25 per cent of

the qualified voters of any county in which the office of County Superintendent has been created, to determine whether or not said office shall be abolished, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Carter:

Senate bill No. 209, A bill to be entitled "An Act to amend Chapter 116, General Laws of the State of Texas, passed by the Thirtieth Legislature at its Regular Session, approved April 16, 1907, 'An Act to prohibit the selling, giving or delivery of any spirituous, vinous or intoxicating liquors to any person under the age of twenty-one years without the written consent of the parent or guardian of such minor or some one standing in their place or stead, and to prohibit the causing of or being interested in any such sale, gift or delivery, and to prohibit the agents of any express company or common carrier from knowingly making such sale, gift or delivery or causing the same to be done or being interested therein, and providing penalties therefor,' and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Carter:

Senate bill No. 210, A bill to be entitled "An Act to amend Article 675 of the Penal Code of the State of Texas by adding thereto Subdivision 10, and limiting the right of self defense in cases of homicide with a weapon, the carrying of which is prohibited by law, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Warren:

Senate bill No. 211, A bill to be entitled "An Act to amend Chapter 175 of the Acts of the Regular Session of the Twenty-sixth Legislature of Texas, providing that the Game, Fish and Oyster Commissioner shall have his office in Austin, Texas, during the term of his office, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Kauffman:

Senate bill No. 212, A bill to be entitled "An Act to amend Chapter 42, of an Act of the Twenty-ninth Legislature entitled 'An Act to prohibit the granting or use for railway or other purposes of any part of the tract of land in the city and county of Galveston, Texas, acquired by that county or the commissioners court thereof for seawall purposes, by adding thereto Section 1a; authorizing Galveston county or the commissioners court of said county to convey or lease to the Board of Regents of the University of Texas on behalf of the State of Texas, for hospital purposes in connection with the John Sealy Hospital, all or any part of the tract of land acquired under said Act, which lies to the north or north-westward of Avenue B in said city, and declaring an emergency.'"

Read first time and referred to Committee on Towns and City Corporations.

By Senator Kauffman:

Senate bill No. 213, A bill to be entitled "An Act to amend Article 724, Title 29, Chapter 1, of the Revised Civil Statutes of the State of Texas, relating to the qualifications of county judges."

Read first time and referred to Judiciary Committee No. 1.

By Senator Kauffman.

Senate bill No. 214, A bill to be entitled "An Act to amend Section 6 of Chapter 130 of the General Laws of Texas, passed at the Regular Session of the Twenty-ninth Legislature of Texas, to provide that county attorneys may contract to collect delinquent taxes, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Kauffman:

Senate bill No. 215, A bill to be entitled "An Act to regulate rates or charges now in force and to be made by telegraph and telephone companies, and to make all such telegraph and telephone companies subject to the control and regulation of the Railroad Commission of Texas, and providing penalties."

Read first time and referred to Committee on Internal Improvements.

By Senator Kauffman:

Senate bill No. 216, A bill to be entitled "An Act to appropriate and transfer the surplus remaining in the Quarantine Fee Fund at Galveston Station to the Board of Regents of the University of Texas for the purpose of erecting, equipping and repairing such buildings as may be necessary to enable the John Sealy Hospital, as a part of the Medical Department of the University of Texas, to properly care for cases of contagious diseases, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Kauffman:

Senate bill No. 217, A bill to be entitled "An Act to ratify and confirm an ordinance passed by the Board of City Commissioners of the city of Galveston on the 19th day of January, 1911, vacating that portion of 8th Street, between Avenues A and B in the city of Galveston, to be used for hospital purposes as a part of the John Sealy Hospital, and closing that portion of 8th Street as a public street, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

Morning call concluded.

(By unanimous consent after the morning call had been concluded.)

By Senator McNealus:

Senate bill No. 218, A bill to be entitled "An Act to render more equitable the relations between master and servant."

Read first time and referred to Committee on Labor.

By Senator Mayfield:

Senate bill No. 219, A bill to be entitled "An Act requiring individuals, copartnerships, partnerships, associations and corporations heretofore or hereafter convicted of a violation of the anti-trust law of this State, or of the Federal law, or their successors doing business in this State, to file annual reports with the Secretary of State; defining the term 'successors'; providing a penalty for any failure to make the report required by said Act; providing penalties for acting as agent after failure to make such report; authorizing the Secretary of State to call the attention of the county and district attorney to any viola-

tion of this Act and making it their duty to immediately investigate and take steps to enforce the law"

Read first time and referred to Judiciary Committee No. 2.

By Senator Adams:

Senate bill No. 220, A bill to be entitled "An Act to amend An Act of the Thirty-first Legislature, passed at the regular session, being Chapter 23, and an Act of the Thirty-first Legislature at its regular session being Chapter 80, and entitled 'An Act to amend Section 61 of Chapter 102 of the Acts of the Regular Session of the Twenty-sixth Legislature, entitled 'An Act to promote agriculture and stock raising and to prohibit the hunting with firearms and dogs upon the enclosed lands of another in all counties within this State, not specifically named as exempt from the provisions of this Act, as amended by the Twenty-sixth Legislature and as amended by 71a, General Laws of the Twentyninth Legislature, to provide penalties and with an emergency clause relating to agriculture and stock raising, so as to place Atascosa, Caldwell, Coke, Coryell, Hamilton, Wells, San Saba and Walker counties under the operation of such law and declaring an emergency.'"

Read first time and referred to Committee on Stock and Stock Raising.

SENATE BILL NO. 83—HOUSE AMENDMENTS CONCUR- RED IN.

Senator McNealus called up Senate bill No. 83, A bill to be entitled "An Act to amend Sections 60 and 128a, Chapter 11, of the laws of the Special Session of 1905, entitled 'An Act to regulate elections and to provide penalties for its violation,' and to repeal the Acts of the Twenty-eighth Legislature of 1903, regulating elections, general, special and primary, and political conventions; approved April 1, 1903, so as to hereafter read as follows, and declaring an emergency," with the following House amendments:

Amend Senate bill No. 83 by inserting the words 25 per cent wherever the words 10 per cent appear.

Amend Senate bill No. 83, Section 1, by inserting the word "State" at the end of the line following "or within thirty days after resigning or being dismissed from any such office."

Senator McNealus moved that the

Senate concur in the above House amendments.

The motion was adopted.

EXCUSED.

On account of important business:
Senator Paulus for non-attendance,
Saturday, Monday, Tuesday and yesterday, on motion of Senator Collins.

HOUSE BILL NO. 16.

The Chair laid before the Senate on third reading and regular order (House bill day)

House bill No. 16, A bill to be entitled "An Act to amend Section 14 and Section 15 of Chapter 17 of the Acts of the Thirty-first Legislature of the First Called Session, approved April 17, 1909, being an 'Act to amend Chapter 138 of the Acts of the Thirtieth Legislature, approved April 18, 1907, the same being an Act to regulate the sale and disposition of spirituous, vinous and malt liquors and medicated bitters capable of producing intoxication, and places wherein same are sold, imposing an occupation tax upon persons, firms, corporations, and associations of persons, selling spirituous, vinous, or malt liquors or medicated bitters capable of producing intoxication; requiring retail liquor dealers and other persons to secure license to sell such liquors; and defining retail liquor dealers and regulating the business thereof; requiring retail malt dealers and other persons to secure license to sell malt liquors exclusively, capable of producing intoxication, and defining retail malt dealers and regulating the business thereof; exempting wine growers who sell wine of their own production from the provisions of this act, providing same is not sold to be drunk on the premises where sold, and otherwise regulating such wine growers; regulating the transfer of license of retail liquor dealers and retail malt dealers; prescribing the conditions of the bonds of such retail dealers and the conditions upon which licenses to such dealers and other persons may be issued; providing for the refund of any unearned portion of any license; requiring the county clerk to report all licenses granted to the Comptroller of Public Accounts; providing for the revocation under certain conditions of licenses issued; defining intoxicating liquors and providing penalties for

the violation of the provisions of this Act, and declaring an emergency,' and adding Section 9a, 9b, 9c, 9d, 9e, 9f, 9g, 9h, 9i, 9j, 10a, and 35a, prescribing the method and procedure by which liquor licenses may be obtained, transferred and forfeited, and prescribing the manner for the ascertainment of the facts upon which forfeiture is based and prescribing the duties of the county judge, Comptroller of Public Accounts and the county attorney and other proper officers in regard thereto, and repealing all laws and parts of laws in conflict herewith, requiring licenses to be issued under this Act and prescribing the continuation in force of licenses issued under prior laws for sixty days after this Act takes effect in order to give time for securing licenses under this Act and providing that credit be allowed upon licenses to be obtained under this Act in an amount equal to the unearned portion or part of any existing license, and declaring an emergency."

Senator Meachum moved the previous question on the bill, the same being duly seconded, was so ordered.

The bill was read third time and passed by the following vote:

Yeas—16.

Bryan.	McNealus.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Terrell, Wise.
Greer.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.

Nays 11.

Astin.	Peeler.
Hudspeth.	Real.
Hume.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Absent.

Adams.	Terrell, McLennan.
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PAIRED.

Senator Kauffman (present), who would vote "nay," with Senator Sturgeon (absent), who would vote "yea."

Senator Cofer moved to reconsider the vote by which the bill was passed, and lay the motion on the table.

The motion to table prevailed.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, Feb. 9, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 70, A bill to be entitled "An Act creating and incorporating the Indian Gap Independent School District in Hamilton county, Texas, and defining its boundaries."

House bill No. 170, A bill to be entitled "An Act to validate the issuance of road bonds in Road District No. 2 of Caldwell county, Texas, and to authorize the commissioners court of said county to pay out any interest and sinking fund collected for \$40,000 road bonds of said district heretofore voted and held to be illegal by the Attorney General; and to authorize said commissioners court to pay out any part of the \$25,000 bond issue of said road district to parties who advanced money to construct roads in said road district prior to the issuance and sale of said bonds; and to require the county treasurer of said county to pay out said funds out of proceeds of the sale of the bonds of said road district on the order of said commissioners court; to repeal all laws in conflict with this Act, and declaring an emergency," with engrossed rider.

Respectfully,

BOB BARKER.

Chief Clerk, House of Representatives.

SENATE BILL NO. 43.

On motion of Senator Meachum, the regular order of business (consideration of House bills) was suspended, and the Senate took up, out of its order, Senate bill No. 43, by the following vote:

Yeas—28.

Astin.	Mayfield.
Bryan.	McNealus.
Carter.	Meachum.
Cofer.	Murray.
Collins.	Paulus.
Greer.	Peeler.
Hudspeth.	Ratliff.
Hume.	Real.
Johnson.	Terrell, McLennan.
Kauffman.	Terrell, Wise.
Lattimore.	Townsend.

Vaughan.
Ward.
Warren.

Watson.
Weinert.
Willacy.

Absent.

Adams.
Perkins.

Sturgeon.

The Chair laid before the Senate on second reading,

Senate bill No. 43, A bill to be entitled "An Act to amend Section 10, of Chapter 23 of the General Laws of the First Called Session of the Thirtieth Legislature so as to extend the time within which and prescribe conditions upon which domestic and foreign corporations which are now in default in payment of franchise taxes and penalties may pay same and have their right to do business revived by extending until the first of September, A. D. 1911, the time during which such corporations embraced within the terms of said Act may pay to the Secretary of State franchise taxes and penalties referred to in said Act, and have their rights to do business revived, and providing for forfeiture of the charters of such domestic corporations as may fail so to do, and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Meachum, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Astin.	Meachum.
Bryan.	Murray.
Carter.	Paulus.
Cofer.	Peeler.
Collins.	Ratliff.
Greer.	Real.
Hudspeth.	Terrell, Wise.
Hume.	Vaughan.
Johnson.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
Mayfield.	Weinert.
McNealus.	Willacy.

Nays—1.

Townsend.

Absent.

Adams.
Perkins.

Sturgeon.
Terrell, McLennan.

The bill was read third time, and passed by the following vote:

Yeas—27.

Bryan.	Paulus.
Carter.	Peeler.
Cofer.	Perkins.
Collins.	Ratliff.
Greer.	Real.
Hudspeth.	Terrell, McLennan.
Hume.	Terrell, Wise.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Nays—1.

Townsend.

Absent.

Adams. Sturgeon.
Astin.

Senator Meachum moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

(Senator Perkins in the chair.)

SENATE BILL NO. 141.

On motion of Senator Carter, the regular order of business (consideration of House bills) was suspended, and the Senate took up, out of its order, Senate bill No. 141, by the following vote:

Yeas—28.

Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.

Absent.

Adams. Sturgeon.
Murray.

(President Pro Tem. Hudspeth in the chair.)

The Chair laid before the Senate, on second reading.

Senate bill No. 141, A bill to be entitled "An Act to reorganize the Second and Fourth Judicial Districts and to create the Seventy-first Judicial District of the State of Texas, and to fix a time of holding courts in said districts, and to fix the jurisdiction of the court of said Seventy-first Judicial District, and to provide for the appointment of a judge of said Seventy-first Judicial District, and to repeal all laws in conflict herewith, and declaring an emergency."

SECOND HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 94, A bill to be entitled "An Act to create and establish the county of Brooks, prescribing its area and boundaries, appointing commissioners to organize said county, and prescribing their duties, providing for a division of said county into commissioners and justices precincts, providing for holding county and precinct elections for the election of county and precinct officers, and the location of the county seat of said county, providing for the attachment of said county to judicial, representative, senatorial and congressional districts, providing for the assessment and collection of taxes, and for the defraying the expenses of organizing said county, and for the new county to pay its pro rata share of the debt of the counties from which it is taken, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

House bill No. 119, A bill to be entitled "An Act to create and establish the county of Jim Wells, prescribing its area and boundaries, appointing commissioners to organize said county, and prescribing their duties, providing for a division of said county into commissioners and justices precincts, providing for holding county and precinct elections for the election of county and precinct officers, and the location of the county seat of said county, providing for the attachment

of said county to judicial, representative, senatorial and congressional districts, providing for the assessment and collection of taxes, and for the defraying the expenses of organizing said county, and for the new county to pay its pro rata share of the debt of the county from which it is taken, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Respectfully,
BOB BARKER.
Chief Clerk, House of Representatives.

SIMPLE RESOLUTIONS.

By Senator Meachum:

Whereas, The Honorable W. A. Hanger, formerly an able and distinguished member of this body, is now at the Senate door, and

Whereas, Many of the members of this body very much desire to hear his pleasing voice once more in this Chamber,

Therefore, be it Resolved, That he be invited to address the Senate forthwith and that a committee of five be appointed to escort him to the stand.

Watson, Hudspeth, Willacy, Lattimore, Meachum.

The Chair appointed Senators Meachum, Watson, Perkins, Carter, Peeler and Lattimore to escort Senator Hanger to the President's stand.

SENATE BILL NO. 141.

Action recurred on Senate bill No. 141, the bill having been read, Senator Townsend offered the following amendment, which was read and adopted.

Amend the printed bill, on page 1, line 20, by inserting the word "in" instead of the capital letter "I" in said line 20 of said bill.

Bill read second time and ordered engrossed.

On motion of Senator Carter, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Adams.	Meachum.
Astin.	Murray.
Bryan.	Paulus.
Carter.	Peeler.
Cofer.	Perkins.

Collins.	Ratliff.
Greer.	Real.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
Mayfield.	Weinert.
McNealus.	Willacy.

Absent.

Sturgeon.	Terrell, Wise.
Terrell, McLennan	

The bill was read third time and passed by the following vote:

Yeas—27.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Collins.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Nays—2.

Cofer.	Mayfield.
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Absent.

Sturgeon.	Terrell, Wise.
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Senator Carter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

(Senator Perkins in the chair.)

SENATE BILL NO. 15 MADE SPECIAL ORDER.

On motion of Senator McNealus, the regular order of business (consideration of House bills) was suspended, and the Senate took up, out of its order, Senate bill No. 15. by the following vote:

Yeas—26.

Adams.	Carter.
Astin.	Cofer.

Collins.	Peeler.
Greer.	Perkins.
Hume.	Ratliff.
Johnson.	Real.
Kauffman.	Terrell, McLennan.
Lattimore.	Terrell, Wise.
Mayfield.	Townsend.
McNealus.	Ward.
Meachum.	Warren.
Murray.	Watson.
Paulus.	Willacy.

Absent.

Bryan.	Vaughan.
Hudspeth.	Weinert.
Sturgeon.	

The Chair laid before the Senate on second reading

Senate bill No. 15, A bill to be entitled "An Act to regulate the employment of children in mills, factories, workshops, mercantile, mechanical or manufacturing establishments, stores, business offices, telegraph offices, restaurants, hotels, apartment houses, mines, quarries, distilleries, breweries and any establishment using machinery, and in the distribution or transmission of merchandise or messages, and to provide penalties for the violating of the same."

On motion of Senator McNealus, the above bill was made a special order for next Thursday morning after the conclusion of the morning call.

SENATE BILL NO. 142.

On motion of Senator Carter, the regular order of business (consideration of House bills) was suspended and the Senate took up, out of its order, Senate bill No. 142, by the following vote:

Yeas—28.

Adams.	Paulus.
Astin.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Real.
Greer.	Terrell, McLennan.
Hume.	Terrell, Wise.
Johnson.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Absent.

Bryan.	Sturgeon.
Hudspeth.	

The Chair laid before the Senate on second reading

Senate bill No. 142, A bill to be entitled "An Act to diminish the civil jurisdiction of the County Court of Harrison county, to conform to the jurisdiction of the District Court thereof, and to repeal all laws in conflict herewith, and declaring an emergency."

Bill read second time and ordered engrossed.

On motion of Senator Carter, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Absent.

Hudspeth.	Sturgeon.
Lattimore.	

The bill was read third time and passed by the following vote:

Yeas—27.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	

Absent.

Hudspeth.
Lattimore.

Sturgeon.
Willacy.

Senator Carter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 85.

On motion of Senator Greer, the regular order of business (consideration of House bills) was suspended, and the Senate took up, out of its order, Senate bill No. 85, by the following vote:

Yeas—27.

Adams.
Astin.
Bryan.
Carter.
Cofer.
Collins.
Greer.
Hume.
Johnson.
Kauffman.
Lattimore.
Mayfield.
McNealus.
Meachum.

Paulus.
Peeler.
Perkins.
Ratliff.
Real.
Terrell, McLennan.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.
Watson.
Weinert.

Absent.

Hudspeth.
Murray.

Sturgeon.
Willacy.

The Chair laid before the Senate on second reading

Senate bill No. 85, A bill to be entitled "An Act authorizing ice companies to buy, sell and refrigerate poultry products, and buy, sell, can and refrigerate fruits, produce, fresh meats and dairy products, and declaring an emergency."

(President Pro Tem. Hudspeth in the chair.)

REFUSED TO RECESS.

Senator Perkins moved that the Senate recess until 2:30 o'clock today.

The motion was lost by the following vote:

Yeas—12.

Astin.
Bryan.
Hudspeth.
Johnson.
Kauffman.
Meachum.

Murray.
Peeler.
Perkins.
Ratliff.
Watson.
Willacy.

Nays—18.

Adams.
Carter.
Cofer.
Collins.
Greer.
Hume.
Lattimore.
Mayfield.
McNealus.

Paulus.
Real.
Terrell, McLennan.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.
Weinert.

Absent.

Sturgeon.

SENATE BILL NO. 85.

Action recurred on Senate bill No. 85, the question being on the engrossment of the bill.

Senator Collins offered the following amendment:

Amend by adding the following after the word "products" in line 7:

"Provided the provision of this Act shall not apply to cities of more than five thousand population, and provided, further, that such corporations shall not be capitalized for more than \$10,000.00."

Senator Greer moved to table the amendment, which motion to table prevailed.

The bill was read second time and ordered engrossed by the following vote:

Yeas—26.

Adams.
Astin.
Bryan.
Carter.
Cofer.
Greer.
Hudspeth.
Hume.
Johnson.
Lattimore.
Mayfield.
Meachum.
Murray.

Paulus.
Peeler.
Perkins.
Real.
Terrell, McLennan.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.
Watson.
Weinert.
Willacy.

Nays—3.

Collins.
Kauffman.

McNealus.

Absent.

Ratliff.

Sturgeon.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Real.
Collins.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.

Nays—1.

Kauffman.

Absent.

Ratliff.

Sturgeon.

The bill was read third time and passed by the following vote:

Yeas—25.

Adams.	Peeler.
Astin.	Perkins.
Bryan.	Real.
Carter.	Terrell, McLennan.
Cofer.	Terrell, Wise.
Greer.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Johnson.	Warren.
Lattimore.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Nays—4.

Collins.	Mayfield.
Kauffman.	McNealus.

Absent.

Ratliff.

Sturgeon.

Senator Greer moved to reconsider the vote by which the bill was

passed, and lay that motion on the table.

The motion to table prevailed.

BILLS READ AND REFERRED.

The Chair (President Pro Tem. Hudspeth) had referred, after their captions had been read, the following House bills:

House bill No. 70, referred to Committee on Educational Affairs.

House bill No. 170, referred to Committee on Roads, Bridges and Ferries.

House bill No. 94, referred to Committee on Counties and County Boundaries.

House bill No. 119, referred to Committee on Counties and County Boundaries.

RECESS.

On motion of Senator Perkins, the Senate, at 12:41 o'clock p. m., recessed until 3 o'clock today.

AFTER RECESS.

The Senate was called to order by President Pro Tem. Hudspeth.

THIRD HOUSE MESSAGE.

Call of the House of Representatives,
Austin, Texas, Feb. 9, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 77, A bill to be entitled "An Act granting to the city of New Braunfels, in addition to the powers now conferred by the general laws now in force or which may hereafter be enacted, the right, power, privilege and authority to erect, build construct, maintain and operate within as well as without its city limits a water works system, an electric light system, a power system and any other public utilities, together with the necessary plant or plants and all incidental buildings, machinery, mains, pipes, pumps, turbines, wires, poles, appliances and constructions, and the right, power, privilege and authority to dispose of or sell within its city limits and one mile

beyond said limits, water, electricity and power for any and all purposes; granting to the city of New Braunfels the right, power, privilege and authority to erect, build, construct, maintain and operate any number of dams, reservoirs, lakes, locks, abutments, buildings, machinery, mains, pipes, pumps, turbines, wires, poles, appliances, and constructions in, at, on, over or across the Guadalupe river at any point or points between the point where the Comal and the Guadalupe county line crosses the Guadalupe river and up said river to a point twelve miles from said county line; granting to the city of New Braunfels the privilege and right of using all the land and water and riparian rights and all the rights of every character of the State of Texas in, to and adjacent to said Guadalupe river between the points above mentioned, including especially such rights in its bed, channel, banks, waters, falls, powers and current; granting to and conferring upon the city of New Braunfels the right, power, privilege and authority in any manner to dam and overflow the water of said Guadalupe river and its tributaries between the points above mentioned, and in any manner to deepen, lower, drain and excavate the channel, bed and banks of said Guadalupe river between the points above mentioned and to back the water in said Guadalupe river and tributaries between the points above mentioned to any height, but not in the Comal river above the north line of San Antonio street; granting to and conferring upon the city of New Braunfels in addition to the powers of condemnation and of eminent domain by the general laws now in force or which may hereafter be enacted the right, power, privilege and authority to purchase, acquire, hold, own, occupy, possess and condemn all lands, waters, springs, rivers, dams, constructions, rights, franchises, material and any other property which may be needed or used by the city of New Braunfels in erecting, building, constructing, maintaining and operating a water works system, an electric light system, a power system and other public utilities, together with the necessary dam or dams, plant or plants and incidental buildings, ma-

chinery, mains, pipes, pumps, turbines, wires, poles, appliances and constructions; providing that the laws which are now in force or may hereafter be enacted, prescribing the rights of, and procedure by, railroad corporations and companies in condemning and acquiring real estate, property and material and making compensation therefor, shall apply to and govern the city of New Braunfels in condemnation proceedings in acquiring lands, waters, springs, dams, constructions, rights, franchises, material and any other property and making compensation therefor under the power herein granted said city, and declaring an emergency," with amendments.

Senate bill No. 69, A bill to be entitled "An Act to repeal an Act passed by the First Called Session of the Twenty-eighth Legislature, which convened on the second day of April, 1903, and adjourned on the first day of May 1903, said Act being known as House bill No. 13, and Chapter 1 of the Special Acts of the First Called Session of the Twenty-eighth Legislature," with amendments.

Senate bill Nos. 10 and 86, A bill to be entitled "An Act to amend Article 21, Title 4, of the Revised Civil Statutes of Texas, and to amend an Act passed by the Thirtieth Legislature creating the Sixth Supreme Judicial District of Texas, and to create the Seventh and Eighth Supreme Judicial Districts of Texas, and to provide for the organization of a Court of Civil Appeals within the Seventh Supreme Judicial District of Texas, and to provide for the organization of a Court of Civil Appeals within the Eighth Supreme Judicial District of Texas, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency," with amendments.

House bill No. 361, A bill to be entitled "An Act to create the Hollis Independent School District in Madison county, Texas, defining its metes and bounds, providing for a board of trustees therefor, vesting it with the rights and duties of districts incorporated for school purposes only under the general laws, and declaring an emergency."

Respectfully,

BOB BARKER,
Chief Clerk House of Representatives.

SENATE BILL NO. 94.

On motion of Senator Lattimore the regular order of business (consideration of House bills) was suspended, and the Senate took up, out of its order, Senate bill No. 94, by the following vote:

Yeas—25.

Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
McNealus.	Warren.
Meachum.	Watson.
Murray.	Weinert.
Paulus.	

Absent.

Adams.	Mayfield.
Hume.	Sturgeon.
Kauffman.	Willacy.

The Chair laid before the Senate on second reading,

Senate bill No. 94, A bill to be entitled "An Act to provide for the erection of a monument over the remains of Mrs. Elizabeth Crockett, the wife of David Crockett, in the cemetery at Acton, Hood county, Texas; to make an appropriation therefor, and to declare an emergency."

The bill having been read,

Senator Lattimore offered the following amendment, which was read and adopted:

Amend printed bill, page 1, Section 1, by striking out all of said section beginning in line 11 down to and including the word "grounds" in line 15, and inserting in lieu thereof the following:

"That a monument be erected in the cemetery at Acton, Hood county, Texas, under the supervision of the Governor and the Superintendent of Public Buildings and Grounds, over the remains of Mrs. Elizabeth Crockett, the wife of David Crockett, one of the heroes who sacrificed his life at the Alamo for the Independence of Texas."

Senator Meachum offered the following amendment, which was read and adopted:

Amend the bill by adding thereto Section 1a, to read as follows:

"There shall be placed upon said monument such inscription as in the judgment of the Governor may be suitable and appropriate."

Senator Collins offered the following motion:

I move that this Senate adopt the motto of David Crockett as its motto, to wit: "Go ahead."

The motion was adopted.

On motion of Senator Meachum, the speech by Senator Ward on this bill was ordered printed in the Journal.

Note—The speech by Senator Ward will appear in a later Journal.—Journal Clerk.

SIMPLE RESOLUTION.

By Senator Terrell of Wise:

Whereas, Hon. Emory Smith of Denton, Texas, is in the city, and having twice served the State with distinction as a member of this body, be it

Resolved, That he be invited to address the Senate, and the privileges of the floor be extended to him.

Terrell of Wise, Meachum, Greer. The resolution was read and adopted.

The Chair appointed Senators Terrell of Wise, Meachum and Peeler to escort ex-Senator Smith to the President's chair.

Ex-Senator Smith addressed the Senate briefly.

SENATE BILL NO. 69—HOUSE AMENDMENTS CONCURRENT IN.

Senator Weinert called up

Senate bill No. 69, "An Act to repeal an Act passed by the First Called Session of the Twenty-eighth Legislature, which convened on the second day of April, 1903, and adjourned on the first day of May, 1903, said Act being known as House bill No. 13, and Chapter 1 of the Special Acts of the First Called Session of the Twenty-eighth Legislature," with the following House amendments:

Amend Senate bill No. 69 by striking out the word "Hays" where it occurs in the bill.

Senator Weinert moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—29.

Adams.	Astin.
--------	--------

Bryan.	Paulus.
Carter.	Peeler.
Cofer.	Ratliff.
Collins.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Sturgeon. Perkins.

SENATE BILLS NOS. 10 AND 86— HOUSE AMENDMENTS CON- CURRED IN.

Senator Watson called up

Senate Bills Nos. 10 and 86. A bill to be entitled "An Act to amend Article 21, Title 4, of the Revised Civil Statutes of Texas, and to amend an Act passed by the Thirtieth Legislature creating the Sixth Supreme Judicial District of Texas, and to create the Seventh and Eighth Supreme Judicial Districts of Texas, and to provide for the organization of a Court of Civil Appeals within the Seventh Supreme Judicial District of Texas, and to provide for the organization of a Court of Civil Appeals within the Eighth Supreme Judicial District of Texas, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency," with the following House amendments:

Amend committee bill, page 2, section 4, line 16, by striking out of said line the word "Schleicher," and adding said county at the end of line 14 in Section 3.

Amend committee bill, page 2, line 40, by striking out "Crockett" in said line and adding the same at the end of line 14, Section 3.

Amend Senate bill Nos. 10 and 86, by adding after the period following the word "Shelby," line 29, page 2, the following:

"The Court of Civil Appeals of the Sixth Supreme Judicial District shall hold its sessions at the city of Texarkana, in the county of Bowie, and its terms shall commence on the first Monday in October of each year and shall continue in session until the first Monday in July of each succeeding year."

Amend Senate bill Nos. 10 and 86

by adding after Section 1, Subdivision 6, line 29, page 2:

Sec. 6. Nothing in this Act shall be construed to repeal or otherwise effect the provisions of Chapter 174, page 324, Acts of the Thirtieth Legislature creating the Sixth Supreme Judicial District of Texas, except in so far as this Act may change the counties composing said district.

Senator Watson moved that the Senate concur in the House amendments.

The motion prevailed.

SENATE BILL NO. 94.

Action recurred on Senate bill No. 94, the pending business.

Bill read second time, and ordered engrossed.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
Mayfield.	Weinert.
McNealus.	Willacy.
Meachum.	

Absent.

Greer.	Sturgeon.
Perkins.	Terrell, McLennan.

The bill was read third time and passed by the following vote:

Yeas—27.

Adams.	Mayfield.
Astin.	McNealus.
Bryan.	Meachum.
Carter.	Murray.
Cofer.	Paulus.
Collins.	Peeler.
Hudspeth.	Ratliff.
Hume.	Real.
Johnson.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan

Ward.
Warren.
Watson.

Weinert.
Willacy.

Absent.

Greer.
Perkins.

Sturgeon.
Terrell, McLennan.

Senator Lattimore moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

(Senator Murray in the chair.)

SENATE BILL NO. 31.

On motion of Senator Bryan, the regular order of business (consideration of House bills) was suspended, and the Senate took up, out of its order, Senate bill No. 31, by the following vote:

Yeas—25.

Astin.
Bryan.
Carter.
Cofer.
Collins.
Hudspeth.
Hume.
Johnson.
Kauffman.
Lattimore.
Mayfield.
McNealus.
Meachum.

Murray.
Paulus.
Peeler.
Perkins.
Ratliff.
Real.
Terrell, Wise.
Vaughan.
Ward.
Warren.
Watson.
Willacy.

Nays—2.

Greer.

Townsend.

Absent.

Adams.
Sturgeon.

Terrell, McLennan.
Weinert.

The Chair laid before the Senate on second reading,

Senate bill No. 31, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1900, and which have failed, or are about to fail to construct their roads and branches, on any part thereof, within the time required by law, with emergency."

The bill having been read

Senator Townsend offered the following amendment:

Amend the bill on page 2, line 19, by adding after the word "completed" the following:

"Provided, that the provisions of

this Act shall not apply to any corporation which has less than twenty miles of railroad to build in order to complete the line of railroad as contemplated by the original charter, or any amendment thereto, or any terms thereof, which shall fail to construct and put in operation at least twenty miles of the line of railroad as contemplated by its charter or any amendment thereto within twelve months from and after the passage of this Act, or so much less as may be necessary to complete its line of road as called for by its charter or any amendment thereto."

The amendment was read and adopted.

Senator Townsend moved to reconsider the vote by which the amendment was adopted, and lay that motion on the table.

The motion to table prevailed.

Senator Warren offered the following amendment, which was read and adopted:

Amend line 27, page 1, by striking out the word "the" between the word "by" and the word "virtue."

SIMPLE RESOLUTION.

By Senator Cofer:

Whereas, The Hon. J. M. Terrell of Texarkana and a former member of the Senate, where he dwelt under the pseudonym of "Sunny Jim," is now at the door of the Senate.

Therefore, be it Resolved, That our distinguished friend and ex-Senator, dear old Jim, be invited to a seat by the President and to address and give his salutations to the Senate.

Cofer, Vaughan, Willacy.

The resolution was read and adopted.

The Chair appointed Senators Cofer, Peeler and Ratliff as a committee to escort ex-Senator Terrell to the President's stand, who, after being introduced, addressed the Senate briefly.

SENATE BILL NO. 31.

Action recurred on pending bill—Senate bill No. 31, and

Senator Townsend offered the following amendment, which was read and adopted:

Amend the bill by adding at the close of Section 2, as amended the following:

"Provided, that the provisions of this Act shall not apply to any line

of railroad operated by any railroad company in this State which has heretofore been consolidated with the line of railroads of any other company or companies within this State."

Bill read second time, and ordered engrossed.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Real.
Hudspeth.	Terrell, McLennan.
Hume.	Terrell, Wise.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.

Nays—2.

Greer. Townsend.

Absent—Excused.

Sturgeon.

The bill was read third time, and passed by the following vote:

Yeas—26.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Cofer.	Ratliff.
Collins.	Real.
Hudspeth.	Terrell, McLennan.
Hume.	Terrell, Wise.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Nays—3.

Carter. Townsend.
Greer.

Present—Not Voting.

McNealus.

Absent.

Sturgeon.

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE CONCURRENT RESOLUTION NO. 22.

Senator Vaughan called up House Concurrent Resolution No. 22, and

On motion of Senator Vaughan, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this resolution (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate House Concurrent Resolution No. 22, A resolution relating to the rescinding the vote by which House bill No. 81 was passed.

The resolution was read and adopted.

FOURTH HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 81. A bill to be entitled "An Act to grant a new charter to the city of Texarkana, Bowie county, Texas; repealing all laws or parts of laws in conflict herewith, and declaring an emergency," with engrossed rider.

Respectfully,

BOB BARKER.

Chief Clerk, House of Representatives.

BILLS READ AND REFERRED.

The Chair (President Pro Tem. Hudspeth) had referred, after their captions had been read, the following House bills:

House bill No. 361, referred to Committee on Educational Affairs.

Houes bill No. 81, referred to Committee on Towns and City Corporations.

SENATE BILL NO. 129.

On motion of Senator Watson, the regular order of business (consideration of House bills) was suspended, and the Senate took up, out of its order, Senate bill No. 129, by the following vote:

Yeas—30.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.

Absent.

Sturgeon.

The Chair laid before the Senate on second reading

Senate bill No. 129, A bill to be entitled "An Act to amend Article 4542, Chapter 10, Title 94, Revised Statutes of Texas of 1895, relating to passenger fares upon railroads."

The question on the bill, being on the committee report, with amendments, on motion of Senator Watson, the committee report (with amendments) was adopted.

Senator Johnson offered the following amendment:

Amend the committee report to strike out line 15, page 2, and insert in lieu thereof the words "be charged one and one-half cents per mile fare if not accompanied by an adult passenger."

Senator Ratliff offered the following amendment to the amendment:

Amend the amendment by striking out the words "an adult passenger" in line 15, page 2, and insert the words "some person over the age of 12 years."

The amendment to the amendment was adopted.

23—S.

The amendment as amended was adopted.

Senator Watson offered the following amendment, which was read and adopted:

Amend the committee report, line 9, by adding after the figures 4542 the following: "of the original bill introduced."

Senator Hudspeth offered the following amendment:

Amend the committee report by striking out the words "seven" in line 11 and also in line 13 and 14, and insert in lieu thereof the word "eight."

The amendment was adopted by the following vote:

Yeas—23.

Adams.	Paulus.
Astin.	Peeler.
Carter.	Perkins.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Johnson.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Nays—5.

Greer.	Ratliff.
Kauffman.	Real.
Lattimore.	

Absent.

Bryan.	Terrell, McLennan.
Sturgeon.	

Senator McNealus offered the following amendment:

Amend the bill, line 15, page 1, by striking out the word "three" and inserting in lieu thereof the word "two," and by striking out in line 20, page 1, the words "one and one-half cents" and insert in lieu thereof the words "one cent."

Senator Watson moved to table the amendment, which motion to table prevailed.

Senator Hudspeth offered the following amendment:

Amend the bill, page 1, by adding at the end of line 20 the following: "Provided that no fare shall be collected when passengers are not provided seats on passenger trains in this State."

The amendment was read and lost. Senator Vaughan offered the following amendment:

Amend bill by adding at the end of line 20 of the bill the following:

"Provided when a passenger presents a ticket entitling her or him to ride to a station at which the train on which such passenger is riding does not stop, the company shall, upon request of such passenger, deliver such passenger at the station called for by the ticket, on the first train stopping at such station, without extra charge therefor."

Pending.

FIFTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House does not concur in Senate amendments to House bill No. 16, and requests the appointment of a free conference committee. The following has been appointed on part of the House: Messrs. Nickels of Hill, Kennedy, Nichols of Hunt, Yarbrough and Rowell.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

BILLS SIGNED.

The Chair (President Pro Tem. Hudspeth) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

Senate bill No. 64, A bill to be entitled "An Act authorizing the city of Bryan to sell and convey certain public grounds within the said city, and declaring an emergency."

Senate bill No. 88, A bill to be entitled "An Act creating the Electra Independent School District in Wichita county, Texas, and to provide for the election of trustees, raising revenue by taxation, issuing bonds, building school houses and maintaining public free schools therein, and declaring an emergency."

Senate bill No. 96, A bill to be entitled "An Act making an appropriation to pay for repairs contracted for by the Board of Managers of the

North Texas Hospital for the Insane, and declaring an emergency."

Senate bill No. 74, A bill to be entitled "An Act to provide for the eradication of sheep scab within the State; prohibiting the importation of scab infested sheep; providing for a State Inspector and county inspectors of sheep; defining their duties; repealing Title 111 of the Revised Statutes of Texas, and all laws and parts of laws in conflict herewith; making an appropriation to carry this Act into effect; prescribing penalties, and declaring an emergency," with amendment.

House Concurrent Resolution No. 5, providing for a change in the manner of printing bills.

House Concurrent Resolution No. 21, inviting ex-Governor Haskell to address Joint Session of Legislature.

ADJOURNMENT.

On motion of Senator Weinert, the Senate, at 6:25 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred

House bill No. 221, A bill to be entitled "An Act to authorize and empower the Commissioner of Agriculture of the State of Texas to employ a civil engineer, having practical knowledge of the conservation of moisture and soil fertility, who understands the practical art of terracing farm lands to prevent the washing away and destruction of the properties of the soil, to instruct the farmers by practical demonstration in terracing, providing an appropriation therefor and declaring an emergency."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass, with the following amendment:

Amend by striking out Section 3, and inserting in lieu thereof the following:

Section 3. The sum of two thousand dollars is hereby appropriated out of the general revenues not otherwise appropriated, to pay the salary of an expert terracer for the fiscal year ending August 31, 1912, and two thousand dollars to pay the said salary for the fiscal year ending August 31, 1913.

REAL, Chairman.

Committee Room,
Austin, Texas, Feb. 9, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred House bill No. 122, A bill to be entitled "An Act to provide that the commissioners court of any county may, and prescribing how the commissioners court of any county within this State may on their own motion establish and maintain an Agricultural and Experiment Farm and Station within their county. Also prescribing the terms and conditions upon and by which a certain per cent of the qualified voters of any county may cause an election to be held in such county and determine whether or not an Agricultural Experiment Farm and Station shall be established in such county under the terms and provisions of this act; prescribing how such Agricultural Experiment Farm shall be established, conducted and maintained, and conferring certain authority upon the commissioners court and county judge, and defining their duties with reference thereto and defining certain duties of the State Director of Experiment Stations; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

REAL, Chairman.

Committee Room,
Austin, Texas, Feb. 9, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred Senate bill No. 197, A bill to be entitled "An Act to provide for the issuance of teachers' certificates to graduates of approved high schools, repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consid-

eration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

PERKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 9, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred Senate bill No. 199, A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State normal school to be located in the city of Waco, in McLennan county, and to be known and designated as the Central Texas Normal School."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

PERKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 9, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Stock and Stock Raising, to whom was referred House bill No. 2, A bill to be entitled "An Act to amend Section 1 of Chapter 57 of the Acts of the Thirtieth Legislature entitled 'An Act to amend Sections 1, 12 and 20, of Chapter 128 of the acts of the Twenty-sixth Legislature, entitled "An Act providing the mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in certain counties, or any subdivision of said counties, so that when an election under said law shall be in favor of the stock law that the certificate thereto shall be prima facie evidence of the compliance with the law to put same in force; also to provide for the punishment of anyone violating the provisions of said act, and adding thereto Section 20a and Section 20b, and declaring an emergency, so as to place Brewster county under the provisions of said chapter, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass with the following Committee amendments:

Amend by striking out "Wharton" wherever it appears in the bill.

Amend by striking out "Fort Bend" wherever it appears in the bill.

ADAMS, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Military Affairs, to whom was referred

Senate bill No. 203, A bill to be entitled "An Act to amend Section 18 of Chapter 104, being an Act of the Twenty-ninth Legislature of the State of Texas, to define and provide for organizing and disciplining the militia, to prescribe the duties of the Governor, the Adjutant General and all officers and enlisted men thereof, to define military offenses, to provide for the trial and punishment thereof, to provide for the pay, transportation, and subsistence of the militia when called into actual service, and to repeal all laws in conflict therewith, by amending said Section 18, so that the same shall provide for the appointment by the Governor of a staff, consisting of the Adjutant General and twelve aides-de-camp, and that said aides-de-camp, shall not be ineligible from holding any office of emolument, trust or honor, and shall not be ineligible from serving as the chairman or member of any committee of any political party, repealing all laws in conflict, and creating an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

COLLINS, Chairman.

(Floor Report.)

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

House Concurrent Resolution No. 22, being as follows: "Resolved by the House, the Senate concurring, that the action of the House and the Senate in passing Senate bill No. 81, be and the same is hereby rescinded, that the bill may be properly corrected."

Have had the same under consideration and beg to report the same back to the Senate favorably, and that it be not printed.

Meachum, Chairman; Hudspeth, Peeler, Hume, Collins, Lattimore, Vaughan, Perkins, Kauffman, Terrell of McLennan, McNealus.

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judiciary No. 1, to whom was referred

Senate bill No. 200, A bill to be entitled "An Act defining and regulating fraternal beneficiary associations and repealing Chapter 115 of the General Laws of the State of Texas, as amended by Chapter 86 of the General Laws of the Twenty-seventh Legislature, and by Chapter 113 of the General Laws of the Twenty-eighth Legislature and by Chapter 106 of the General Laws of the Twenty-ninth Legislature, approved May 1, 1909, relating to fraternal beneficiary associations, and to declare an emergency."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judiciary No. 1, to whom was referred

Senate bill No. 193, A bill to be entitled "An Act to secure the right of trial by jury in cases of indirect contempt of court."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judiciary No. 1, to whom was referred

Senate bill No. 202, A bill to be entitled "An Act to prohibit false swearing, stating the consideration in any deed, deed of trust, mortgage, or other instrument of writing transferring or affecting the title to real or personal property for the purpose of defrauding another, or for the purpose of aiding

some other person to defraud another, and prescribing the penalty for the violation of this act, and to regulate the manner of proof in prosecution against persons charged with a violation of this act."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judiciary No. 1, to whom was referred

Senate bill No. 128, A bill to be entitled "An Act to amend Article 3246, Title 63, of the Revised Statutes of 1895, relating to the sale of property levied upon by distress warrant and conforming the said provision of the statutes governing the sale of personal property levied upon by attachment, and declaring an emergency."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judiciary No. 1, to whom was referred

Senate bill No. 189, A bill to be entitled "An Act to amend Section 62, of Article 642, of the Revised Civil Statutes of the State of Texas, as passed at the regular session of the Twenty-ninth Legislature; repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judiciary No. 1, to whom was referred

Senate Concurrent Resolution No. 7, A resolution to be entitled "Resolved by the Senate, the House concurring, that

"Whereas, under Federal law, interstate shipments of intoxicating liquors are delivered to the consignee before the State can have jurisdiction of the same, and

"Whereas, by this means, the State is seriously hampered in carrying out its policies relative to the traffic of intoxicating liquors, and

"Whereas, we believe the State should have full control, under its police powers, of all liquors shipped within its bounds, whether domestic or interstate, therefore, be it

"Resolved, That we hereby declare ourselves in favor of such action by the Congress of the United States as will guarantee to the States the full jurisdiction of all intoxicants consigned to parties within this State from the time they enter the State, and to this end, we request the members of Congress, both in the Senate and the House, from this State, to support such legislation as is contemplated by the Miller-Curtis bill now pending in Congress."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We a minority of your Committee on Judiciary No. 1, to whom was referred

Senate Concurrent Resolution No. 11, A resolution to be entitled "Resolved by the Senate, the House concurring, that,

"Whereas, Federal law now permits the issuance of a license to sell intoxicating liquors in any place, without regard to whether it may be against State law to sell intoxicating liquors in such place, and

"Whereas, this fact renders it more difficult for the State to enforce State laws, prohibiting the sale of intoxicating liquors and local option laws adopted by various localities, prohibiting the same, therefore, be it

"Resolved, That we declare laws in favor of such action by the Congress of the United States as will prohibit the issuance of a license to engage in the sale of intoxicating liquors to anyone to carry on such business in any

place, where, by State or local laws, the sale of such liquors has been prohibited, and to this end we request the members of Congress, both in the Senate and the House from this State, to support such legislation as is contemplated by the bill introduced in Congress by Mr. Lively, of Texas (same being H. R. 31726)."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do not pass.

WATSON.

(Majority Report.)

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a majority of your Committee on Judiciary No. 1, to whom was referred

Senate Concurrent Resolution No. 11, A resolution to be entitled "Resolved by the Senate, the House concurring, that

"Whereas, Federal law now permits the issuance of a license to sell intoxicating liquors in any place, without regard to whether it may be against State law to sell intoxicating liquors in such place, and

"Whereas, this fact renders it more difficult for the State to enforce State laws, prohibiting the sale of intoxicating liquors and local option laws adopted by various localities, prohibiting the same, therefore, be it

"Resolved, That we declare laws in favor of such action by the Congress of the United States as will prohibit the issuance of a license to engage in the sale of intoxicating liquors to anyone to carry on such business in any place, where, by State or local law the sale of such liquors has been prohibited, and to this end we request the members of Congress, both in the Senate and the House from this State, to support such legislation as is contemplated by the bill introduced in Congress by Mr. Lively, of Texas (same being H. R. 31726)."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engross-

ed Bills have carefully examined and compared

Senate Concurrent Resolution No. 5, "Providing for the creation of a commission to investigate and report to the Legislature of this State during its present session a bill to fairly compensate employes for injuries received in the course of employment, and defining the duties of said commission, making an appropriation to carry same into effect, and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 64, "An Act authorizing the city of Bryan to sell and convey certain public grounds within said city, and declaring an emergency."

And find it correctly enrolled, and have this day, at 11:00 o'clock a. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 88, "An Act creating the Electra Independent School District in Wichita County, Texas, and to provide for the election of trustees, raising revenue by taxation, issuing bonds, building school houses and maintaining public free schools therein, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 11:00 o'clock a. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 96,

And find it correctly enrolled, and

have this day, at 11:00 o'clock a. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

(Following is the bill in full.)

Senate bill No. 96, An Act making an appropriation to pay for repairs contracted for by the board of managers of the North Texas Hospital for the Insane, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of seven thousand one hundred and ninety-five dollars (\$7195.00) is hereby appropriated out of any moneys in the public treasury, not otherwise appropriated, to pay for repairs contracted for at the North Texas Hospital for the Insane, and that the further sum of three hundred and fifty-nine and 75-100 dollars (\$359.75) is hereby appropriated out of any moneys in the public treasury, not otherwise appropriated, to pay the fee of the architect for examining the buildings of the said North Texas Hospital for the Insane and supervising the repairs above referred to.

Sec. 2. There being no authority authorizing the payment of the sums referred to in section one of this Act, and further that the contract for said work has been awarded and the work nearing completion, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this act take effect from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 74,

And find it correctly enrolled, and have this day, at 11 o'clock a. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

(Following is the bill in full.)

Senate bill No. 74, An Act to provide for eradication of sheep scab within the State; prohibiting the importation of scab in-

fecting sheep; providing for a State Inspector and county inspectors of sheep; defining their duties; repealing Title 111 of the Revised Statutes of Texas, and all laws and parts of laws in conflict herewith; making an appropriation to carry this Act into effect; prescribing penalties, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That from and after the taking effect of this Act it shall be unlawful for any person, firm or corporation to sell or buy any sheep affected with scab.

Section 1a. Scab in this Act is defined to be a disease, or itch, caused from a bug or parasite which works itself into the wool and flesh of the sheep, causing a crusted sore, injuring the wool and causing same to fall from the animal.

Sec. 2. That from and after the taking effect of this Act it shall be unlawful for any person, firm or corporation, to import into this State any sheep affected with scab.

Sec. 3. That from and after the taking effect of this Act it shall be unlawful for any person, firm or corporation to move from one county to another in this State any sheep affected with scab.

Sec. 4. That from and after the taking effect of this Act, it shall be unlawful for any person, firm or corporation, to move from one part of any county in this State to any other part of the same county any sheep affected with scab.

Sec. 5. That from and after the taking effect of this Act, it shall be unlawful for any person, firm or corporation, to drive or cause to be driven on or across the lands of another any sheep affected with scab.

Sec. 6. That from and after the taking effect of this Act, it shall be unlawful for any person, firm or corporation to drive along or over a public road any sheep affected with scab.

Sec. 7. Any person, whether acting for himself or as agent for another person, firm or corporation, who shall violate Sections 1, 3, 4, 5 or 6 of this Act, shall be guilty of a misdemeanor and on conviction thereof shall be fined in any sum not less than one hundred dollars, and not more than two hundred dollars.

Sec. 8. Any person, whether acting for himself or as agent or employee of any other person, firm or

corporation, who shall in person or by agent violate any of the provisions of Section 2 of this Act, shall be deemed guilty of a misdemeanor and on conviction thereof, shall be fined in any sum not less than five hundred and not more than two thousand dollars.

Sec. 9. Whenever it appears from the assessor's rolls of any county that there are as many as two thousand sheep owned and assessed for taxes in any county in this State, it shall be mandatory upon the commissioners court of said county, upon the application of six resident sheep owners in said county to appoint a competent Inspector of Sheep, who shall be a resident citizen of such county; such Inspector shall hold his office for two years, or until his successor is appointed and qualified, such Inspector may appoint one or more deputies, who shall take the oath of office prescribed by the Constitution, and may perform the same acts as Inspector of Sheep; and the inspector may require of his deputies so appointed bonds, payable to himself, for the faithful performances of their duties as such deputies.

Sec. 10. Said Inspector of Sheep shall, within twenty days after receiving notice of his appointment, and before entering upon the duties of his office, execute a bond, with two or more good and sufficient sureties, in a sum to be fixed by the commissioners court, not less than one thousand nor more than five thousand dollars, payable to the county judge and his successors in office, conditioned that he will faithfully and impartially discharge and perform all the duties incumbent upon him as Inspector of Sheep, said bond shall be approved by the commissioners court and be recorded in the office of the county clerk of the county as other official bonds.

Sec. 11. It shall be the duty of the Inspector of Sheep or his deputy to carefully and minutely examine and inspect at any time sheep in his county, or which may be driven into or through the county; and when one or more sheep affected with scab are found in any flock so inspected, the entire flock shall be condemned by said inspector or deputy and considered as affected with said disease.

Sec. 12. The Inspector provided for in the preceding articles shall be entitled to receive from the county in which he is appointed Inspector

of Sheep, to be paid quarterly by warrant ordered drawn by the Commissioners' Court of said county upon the County Treasurer thereof, the following compensation:

(a) In counties when the tax rolls of said counties show there are as many as two thousand and not more than ten thousand head of sheep rendered for taxes, the sum of two hundred dollars per annum.

(b) In counties when the tax rolls of said counties show there are not less than ten thousand and not more than thirty thousand head of sheep rendered for taxes, the sum of two hundred and fifty dollars per annum.

(c) In counties when the tax rolls of said counties show there are thirty thousand sheep or more rendered for taxes, the sum of six hundred dollars per annum.

Sec. 13. It shall be the duty of each Inspector of Sheep to inspect each and every flock of sheep in his county at least once every three months; and he shall make written report of his findings, stating that he has complied with this provision to the Commissioners' Court of his county, which report shall be sworn to by him before any officer authorized to administer oaths. And should he find any flock or flocks of sheep in his county affected with scab he shall notify the owner of such sheep and demand of such owner that his sheep be cured of scab in thirty days; and should such owner fail or refuse to cure his sheep of scab within that period of time, then the Inspector is authorized to take charge of such flock or flocks of sheep and dip the same in lime and sulphur; said preparation of dip to be made up in the proportion of one pound of lime to two pounds of sulphur, boiled and cooked well in ten gallons of water, and to use one gallon of said ooze to ten gallons of water in the vat in which the sheep are dipped; and each one of such sheep so dipped shall be allowed to remain in the dipping vat for a period of three minutes. And if the owner of such flock or flocks of sheep so found to be infected with scab shall fail or refuse to cure the same of scab as above provided, after being notified by the Inspector so to do, and the Inspector takes charge of such flock or flocks of sheep and cures the same

of scab, the county in which he is Inspector shall be entitled to recover of the owner of such flock or flocks of sheep all expenses incurred by the Inspector; and in addition to such expense, the sum of two dollars per day for each day so required by the Inspector in curing such sheep of scab; and it is hereby made the duty of the Commissioners' Court of such county to enforce and collect of such owner or owners all such expense, as well as the sum of two dollars per day for each day the Inspector shall consume in the dipping of such flock or flocks of sheep, by suit brought in the name of the county judge of such county in any court of said county having jurisdiction of the amount involved. Provided, however, that if the owner or owners of such infected sheep cannot be found in the county where the sheep are situated, then the notice herein provided for shall be given to the person or persons in charge of such sheep and such notice shall be as binding as if given to the owner or owners. And in addition to the recovery by the Commissioners' Court as herein provided, should any owner or any person in charge of such flock or flocks of sheep fail or refuse to cure such sheep of scab when instructed to do so by the Inspector, such owner or person in charge of such sheep shall be liable, upon conviction therefor, to a fine of not less than one hundred dollars nor more than two hundred dollars.

Sec. 14. The office of State Sheep Inspector is hereby created.

Sec. 15. The Governor shall appoint to the office of State Sheep Inspector a person versed in sheep husbandry and thoroughly conversant with scab in sheep, to serve for two years and until appointment and qualification of his successor. The appointee shall qualify by taking the official oath prescribed by the Constitution, and shall give bond in the sum of five thousand dollars for the faithful discharge of his duties; such bond made payable to the Governor and approved by the Comptroller of the State of Texas, and filed by him in his office; and said State Sheep Inspector shall make his annual report to the Governor. He may be discharged at any time by the Governor, and no warrant for his salary shall issue except on order of the Governor. He shall be allowed as salary one hundred dollars per month

and in addition thereto his traveling expenses; such expenses, however, not to exceed in any month fifty dollars; said salary shall be paid to him on order of the Governor, by warrant drawn by the Comptroller of Public Accounts, upon the State Treasurer, and said Inspector shall file with the Governor at the end of each month his written, verified account of his traveling expenses. Provided, the office of State Inspector of Sheep shall expire at the end of two years.

Sec. 16. It shall be the duty of the State Sheep Inspector to zealously ferret out all violations of this Act, and to assist the several district and county attorneys in prosecuting all violations of this Act; and upon request of any sheep owner in those counties having less than 2,000 sheep it shall be the duty of the State Inspector to perform those duties of County Inspectors, as defined in this Act. All County Inspectors shall be under his immediate supervision and control.

Sec. 17. Any County Judge or Commissioners' Court wherein this law is operative, who shall fail or refuse to discharge the duties incumbent upon them as provided for in this Act, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than one hundred dollars nor more than two hundred dollars; and it is hereby made the special duty of the District Judge of any county coming within the provisions of this Act to specially charge the grand jury at each term of the court to diligently investigate as to whether this law is being violated, and if the grand jury shall find that the same is being violated, it shall be the duty of the grand jury to return bills of indictment against such person so violating.

Sec. 18. The sum of thirty-six hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State Treasury not otherwise appropriated to be used in paying the salary and traveling expenses of State Sheep Inspector.

Sec. 19. This Act shall not take effect until the first day of July, 1911.

Sec. 20. Title 111 of the Revised Statutes of Texas, and all other laws or parts of laws in conflict herewith, are hereby repealed.

Sec. 21. The fact that there is no adequate sheep scab law on the Statute books, and the fact that sheep scab is rampant in some parts of the State, and is fast spreading, and that prompt action under this Act would quickly stop the great curse and thereby greatly conserve this valuable industry and greatly increase the State's taxable property and bring value to much State and private lands now nearly valueless, and the fact that many sheep with scab will be driven into the State this spring from Mexico, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days should be, and the same is hereby, suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

(Floor Report.)

(By unanimous consent.)

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 170, A bill to be entitled "An Act to validate the issuance of road bonds in road district No. 2 of Caldwell county, Texas, and to authorize the commissioners' court of said county to pay out any interest and sinking fund collected for \$40,000 road bonds of said district heretofore voted and held to be illegal by the Attorney General; and to authorize said commissioners court to pay out any part of the \$25,000 bond issue of said road district to parties who advanced money to construct roads in said road district prior to the issuance and sale of said bonds; and to require the county treasurer of said county to pay out said funds out of the proceeds of sale of the bonds of said road district on the order of said commissioners court; to repeal all laws in conflict with this Act, and declaring an emergency."

Beg leave to report same back to the Senate, with recommendation that it do pass, and be not printed.

Greer, Chairman; Weinert, Paulus, Ratliff, Johnson.

(Floor Report.)

(By unanimous consent.)

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 201, A bill to be entitled "An Act to create a more efficient road system for Collin county in the State of Texas, and making county commissioners ex officio road commissioners; and prescribing their powers and duties, as such, and providing for their compensation as such road commissioners and providing for the condemning of material for the construction and maintenance of public roads and to provide for the compensation for the material used, and providing for the working of county convicts on the public roads and the purchase of supplies for such convicts and rewards for the capture of escaped convicts and for the commutation of sentence for faithful service, and good behavior, and defining the powers and duties of road overseers, and to provide for the summoning of hands and teams for road work and for the allowance of time for services of hands and teams on public roads, and fixing a penalty for violation of same and relieving them from the payment of such work by the payment of three dollars (\$3.00); and providing further, making this Act cumulative of the General Laws now in force; and to repeal all laws in conflict with this Act, and declaring an emergency."

Have had same under consideration and beg to report it back to the Senate with the recommendation that it do pass, and be not printed.

Greer, Chairman; Weinert, Ratliff, Johnson, Kauffman, Paulus.

Committee Room,

Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared:

Senate bill No. 176, A bill to be entitled "An Act to incorporate the city of Laredo, Webb county, Texas, and to grant it a charter; to provide for its form of government; to define its powers and to prescribe its duties

and liabilities; to repeal all Acts in conflict herewith, and to declare an emergency."

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,
Austin, Texas, Feb. 9, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared:

Senate bill No. 163, A bill to be entitled "An Act to create and establish a criminal court in and for Harris county, Texas, and create a separate Criminal Judicial District to be composed of Harris county, Texas, to provide for the election, qualification, jurisdiction, duties, powers and compensation of a judge and clerk of said criminal court, and to provide for the election, qualification, powers and compensation of a district attorney for said criminal district of Harris county, to provide for the appointment, qualification, powers, duties and compensation of assistant district attorneys for said criminal district, to provide for the appointment, powers, duties and compensation of deputy criminal district clerk, abolishing the Criminal District Court of Galveston and Harris counties in so far as the same embraces the county of Galveston, and giving and restoring to the district and county courts of Galveston county jurisdiction of felony and misdemeanor cases, and providing for the transfer of cases from the Criminal District Court of Galveston county to the district and county courts of said county, and to fix the terms of the criminal and district court of Harris county and repealing all laws in conflict with this Act."

And find the same correctly engrossed.

COFER, Chairman.

PETITIONS AND MEMORIALS.

By Senators Kauffman and Paulus:

Petitions numerous signed by citizens of their respective districts praying for an amendment to the anti-pass law empowering the Railroad Commission to make a special rate for volunteer firemen attending their annual conventions.

By Senators Lattimore and Ward:

Petitions numerous signed by citizens of their districts asking the

Legislature to take favorable action on the Sunday bills now pending.

By Senator Kauffman:

Telegram from Southwest Texas Sheep and Goat Raisers' Association asking support of Wild Animal Bounty bill.

By Senator Cofer:

Copy of a resolution signed by Board of Directors of Gainesville Commercial Club endorsing the bill which looks to consolidating the M., K. & T. Ry. Co. with the Texas Central Ry. Co. and the M., K & T. with the Dallas, Cleburne and Southwestern Ry. Co.

By Senator Perkins:

Petition numerous signed by members of Lavacca county asking support of amendment to Section 10, Chapter 36, Acts of Thirty-first Legislature.

By Senator Collins

Petition numerous signed by citizens of his districts asking support of the following Senate bills:

Senate bill making it a misdemeanor for a person to give a check on a bank when the person has no money in said bank to meet the check presentation.

Senate bill imposing a special tax on persons who sell co-called bankrupt and damaged stocks of merchandise in towns other than their place of residence.

Senate bill amending the law as to peddlers by specifically defining a peddler.

Senate bill giving mortgagee the right to inspect mortgaged property at any time.

By Senator Johnson:

Petition numerous signed by citizens of his district asking support of bill prohibiting the sale of cigarettes in Texas.

By Senator Cofer:

Petition numerous signed by citizens of his district asking legislation regulating and increasing taxation on itinerant vendors of medicine.

By Senator Warren:

Petition numerous signed by members of Marlin W. C. T. U. asking assistance in creating the penitentiary sentence in proposed legislation dealing with the White Slave Traffic.